

of this title before the invention thereof by the applicant for patent (emphasis added).

It is respectfully submitted that the Examiner's rejection under 35 U.S.C. §102(e) as being anticipated by Kato is improper in that the reference relied upon by the Examiner, U.S. Patent No. 5,543,847, is *not* a patent granted on an application for patent *by another*, but instead is a patent granted on an application by the same inventive entity as that of the present application. Reference to the declaration in U.S. Patent Application No. 08/180,613, filed January 13, 1994, which is the parent of the present (file wrapper continuing) application will show that the sole inventor of the present application is Motoki Kato of Kanagawa, Japan. Applicant's undersigned attorney has confirmed with employees of Sony Corporation, the assignee of both the present application and U.S. Patent No. 5,543,847, that the inventor of the present application is the same as that of U.S. Patent No. 5,543,847. In the event the Examiner deems it necessary that a Declaration regarding such inventor be filed in the present application, the Examiner is requested to contact applicant's undersigned attorney.


The Examiner is therefore respectfully requested to withdraw his rejection under 35 U.S.C. §102(e).

The Examiner's attention is, however, directed toward the end of line 8 of twice amended claim 8 as shown in the Amendment Under 37 C.F.R. §1.116 filed on March 25, 1996. In such claim 8 the word "remarks" appears to have been inadvertently inserted after the right-hand bracket, notwithstanding the lack of underlining below the word "remarks". Such error was discovered by applicant's undersigned attorney on February 13, 1997 during preparation of the present RESPONSE. It is respectfully submitted that such word "remarks" did not and was not intended to form part of claim 8, and that such error occurred without deceptive intent.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

Respectfully submitted,
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Dated: March 14, 1997

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